

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

Charles Johnson,

Plaintiff,

v.

TheHuffingtonPost.com, Inc.,

Defendants.

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CIVIL ACTION NO. 4:20-cv-00179

**DEFENDANT THEHUFFINGTONPOST.COM, INC.’S WITHDRAWAL OF PENDING  
RULE 12(b)(6) MOTION TO DISMISS AND NOTICE OF INTENT TO FILE  
RESPONSE TO PLAINTIFF’S FIRST AMENDED COMPLAINT**

Defendant TheHuffingtonPost.com, Inc. (“HuffPost”) respectfully withdraws its pending Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), Dkt. No. 20, in light of Plaintiff Charles Johnson’s First Amended Complaint (FAC) filed April 9, 2020, Dkt. No. 25. Accordingly, HuffPost does not intend to file a reply in support of its now-moot Rule 12(b)(6) Motion, and it will instead respond to Plaintiff’s FAC on or before the deadline to do so under Federal Rule of Civil Procedure 15(a)(3).

DATED: April 10, 2020      Respectfully submitted,

/s/ Jean-Paul Jassy

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*Attorneys for Defendants TheHuffingtonPost.com,  
Inc. and Andy Campbell*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 10, 2020, copy of the above and foregoing has been filed electronically with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Elizabeth Baldrige

Elizabeth Baldrige